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09/879,235	06/11/2001	Lawrence A. Jenkins	81896	3699

7590

09/08/2003

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EXAMINER

ELISCA, PIERRE E

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 09/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/879,235

Applicant(s)  
Lawrence A. Jenkins

Examiner  
Pierre E. Elisca

Art Unit  
3621



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06/16/2003
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 8 6) ☐ Other:

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**Examiner Pierre Eddy Elisca**  
**United States Department of Commerce**  
**Patent and Trademark Office**  
**Washington, D.C. 20231**

**DETAILED ACTION**

1. This Office action is in response to Applicant's amendment filed on 06/16/2003.
2. Claims 1-23 are remained and claims 24-38 are added.

**NOTE**

3. The claimed communication link recited in claims 1 and 11 when viewed in light of the specification, particularly pages 2 and 3 is being defined as a telephone, Internet, cellular, satellite or email. Furthermore claims 3 and 14 further define the communication link also as a telephone, Internet, radio, cellular, satellite or email. Thus the claimed communication link encompasses a physical means or device being within the technological art, thus claims 1 and 11 each taken as a whole constitute a concrete, a useful, and a tangible result.

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**SPECIFICATION**

4. Abstract of the specification is objected to because of the following informality. Applicant is advised to delete lines 11-15 of the abstract wherein said " This abstract is provided to comply with the rules requiring an abstract that will allow a searcher or other reader to quickly ascertain the subject matter of the technical disclosure. It is submitted with the understanding that it will not be used to interpret or limit the scope or meaning of the claims. 37 CFR 1.72 (b)".

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 7-13, 15-18 and 20-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCarty et al. (U.S. Pat. No. 5,946,660) and Joao (U.S. pat. No. 6,347,302) in view of Denny et al. (U.S. pat. No. 5,724,261).

As per claims 1, and 7-11 McCarty substantially discloses an automated storage system comprising a plurality of self-storage facilities, wherein a customer may rent from available storage units for the purpose of safeguarding various articles for a given period of time (which is equivalent

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to Applicant's claimed invention wherein it is stated that a method for renting to a customer a self-storage unit located at a self-storage facility), the method coming the steps of:

providing a customer service area (see., abstract, col 1, lines 5-16, specifically wherein it is stated that self-storage facilities, wherein a customer may rent from available storage units);

establishing contact between a remote manager and a customer entering the customer service area so that the customer and manager can communicate using a communication link (see., col 3, lines 1-16, lines 31-44, specifically wherein it is stated that communicatively linking a plurality of self-storage facilities or customer to a central processing center or remote manager, and also col 3, lines 18-31, col 4, lines 15-51);

communicating to the remote manager an indication of the customers storage needs (see., col 3, lines 18-31, specifically wherein it is stated that the external access system allows a user to communicate with the central processing center to conduct a plurality of automated rental transactions including renting from any of the plurality of storage units within the plurality of storage facilities. Applicant should duly note that the process of a user or customer conducting a plurality of automated rental transaction also includes indicating of customer storage needs);

communicating credit information (or payment information) about the customer to the remote manager (see., col 7, lines 61-67, col 8, lines 1-45, specifically wherein it is stated after completing the input of rental information, the user must then select from a variety of payment methods such as credit card payment, check payment. Once payment method has been verified, the processor within the kiosk will then generate a custom rental agreement based on the personal rental information,

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please note that this step is equivalent to a payment information or credit information process about a customer or user);

establishing a self-storage rental agreement between the customer and the self-storage facility under the guidance of the remote manager (see., col 5, lines 50-67, col 8, lines 24-45, specifically wherein it is stated that rental agreement has been generated, the rental agreement is then displayed on the screen display to allow user or customer to review the proposed agreement). Furthermore, McCarty discloses a telephone communication link see., fig 3, item 42, and therefore, it is obvious to realize that the telephone communication link of McCarty can telephone customers or manager when a customer service area door is activated or when a customer entering service area, or picks up a telephone since telephone communication link is a common telecommunication practice. McCarty also discloses an access gate to said one or more self-storage units (see., fig 2, item 24), and viewing the customer approaches access gate see., fig 2, items 30, 28 and 22, col 5, lines 1-15.

It is to be noted that McCarty fails to explicitly disclose the step of communicating a recommended self-storage unit to the customer from the remote manager. Joao discloses a rented articles such as personal, residential as well as commercial property leases and rentals. For protecting individuals and/or business entities, lease and/or rental from liability, recommendation by an insurer or remote manager in determining whether to issue a policy, product, service, please note that the product also includes lease or rental, and therefore, recommending rental or self-storage unit to the user (see., col 1, lines 15-21, col 2, lines 7-18, col 8, lines 34-39). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was to made to modify the automated

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storage system of McCarty by including a recommendation to the customer from the manager or insurer as taught by Joao because such modification would provide transactions with potential customers and recommending available storage units.

McCarty and Joao fail to explicitly disclose the step of facilitating inspection of the recommended self-storage unit by the customer. However, Denny discloses a data processing that includes a property inspection (property or rental article) see., abstract, col 2, lines 9-26 and lines 47-67. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of McCarty and Joao by incorporating the limitation detailed above as taught by Denny because such modification would provide protection against liability which may arise as a result of wear and tear.

As per claim 2, McCarty discloses the claimed limitations wherein said step of establishing a self-storage rental agreement includes the steps of providing a rental agreement to the customer, the insertion of data onto the rental agreement by the customer, and verifying the inserted data by the remote manager (see., col 5, lines 56-67, specifically wherein it is stated legally binding contracts and agreements between the user or customer and the management company or owner or remote manager, and the step of inserting of data onto the rental agreement by the customer is disclosed in col 5, lines 50-67, specifically wherein it is stated that a user or customer may employ the electronic pen to generate a signature (signature or insertion of data) which in turn, stores the signature in the memory. The electronically signature is incorporated into the contracts and agreements for fully

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executed and legally contracts and agreements between the user and the management company or owner or remote manager).

As per claims 12, 13, 15, 16, 17, 18, 20, 21, 22, 23, McCarty substantially discloses an automated storage system comprising a plurality of self-storage facilities, wherein a customer may rent from available storage units for the purpose of safeguarding various articles for a given period of time (which is equivalent to Applicant's claimed invention wherein it is stated that a system for renting to a customer a self-storage unit located at a self-storage facility), the system comprising the steps of:

means for automatically establishing contact with a remote manager when a customer enters a customer service area so as to enable the customer and the remote manager to communicate using a communication link (see., col 3, lines 1-16, lines 31-44, specifically wherein it is stated that communicatively linking a plurality of self-storage facilities or customer to a central processing center or remote manager, and also col 3, lines 18-31, col 4, lines 15-51);

means for determining the storage needs of the customer and communicating the storage needs to the manager (see., col 3, lines 18-31, specifically wherein it is stated that the external access system allows a user to communicate with the central processing center to conduct a plurality of automated rental transactions including renting from any of the plurality of storage units within the plurality of storage facilities. Applicant should duly note that the process of a user or customer conducting a plurality of automated rental transaction also includes indicating of customer storage needs);



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means for establishing a self-storage rental agreement between the customer and the self-storage facility (see., col 5, lines 50-67, col 8, lines 24-45, specifically wherein it is stated that rental agreement has been generated, the rental agreement is then displayed on the screen display to allow user or customer to review the proposed agreement, it is obvious to recognize that rental agreement also includes drop box of depositing rental forms). Furthermore, McCarty discloses a telephone communication link see., fig 3, item 42, and therefore, it is obvious to realize that the telephone communication link of McCarty can telephone customer or manager when a customer service area door is activated or when a customer entering service area, or picks up a telephone since telephone communication link is a common telecommunication practice. McCarty also discloses a customer access door or access gate or means for enabling the remote manager to control opening of an access gate (see., fig 2, item 24), and viewing the customer approaches access gate see., fig 2, items 30, 28 and 22, col 5, lines 1-15.

It is to be noted that McCarty fails to explicitly discloses means for selecting or recommending self-storage unit adequate to meet the customer's needs. Joao discloses a rented articles such as personal, residential as well as commercial property leases and rentals. For protecting individuals and/or business entities, lease and/or rental from liability, recommendation by an insurer or remote manager in determining whether to issue a policy, product, service, please note that the product also includes lease or rental, and therefore, selecting or recommending rental or self-storage unit that best meets the customer's needs (see., col 1, lines 15-21, col 2, lines 7-18, col 8, lines 34-39). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was to made

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to modify the automated storage system of McCarty by including a recommendation to the customer from the manager or insurer as taught by Joao because such modification would provide transactions with potential customers and recommending available storage units.

McCarty and Joao fail to explicitly disclose means for allowing or remotely providing customer to inspect the recommended self-storage unit by the customer. However, Denny discloses a data processing that includes a property inspection (property or rental article) see., abstract, col 2, lines 9-26 and lines 47-67. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was to made to modify the teachings of McCarty and Joao by incorporating the limitation detailed above as taught by Denny because such modification would provide protection against liability which may arise as a result of wear and tear.

As per claims 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38 McCarty substantially McCarty substantially discloses an automated storage system comprising a plurality of self-storage facilities, wherein a customer may rent from available storage units for the purpose of safeguarding various articles for a given period of time (which is equivalent to Applicant's claimed invention wherein it is stated that a system for renting to a customer a self-storage unit located at a self-storage facility), the system comprising the steps of:

a customer service area proximate the self-storage unit facility (see., abstract, col 1, lines 5-16, specifically wherein it is stated that self-storage facilities, wherein a customer may rent from available storage units);

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means for detecting entry of a customer into the service area from the location remote from the service area (see., fig 2, item 24);

means for automatically establishing contact with a remote manager when a customer enters a customer service area so as to enable the customer and the remote manager to communicate using a communication link (see., col 3, lines 1-16, lines 31-44, specifically wherein it is stated that communicatively linking a plurality of self-storage facilities or customer to a central processing center or remote manager, and also col 3, lines 18-31, col 4, lines 15-51);

means for inquiring from the remote location what the customer's storage needed are or determining the storage needs (see., col 3, lines 18-31, specifically wherein it is stated that the external access system allows a user to communicate with the central processing center to conduct a plurality of automated rental transactions including renting from any of the plurality of storage units within the plurality of storage facilities. Applicant should duly note that the process of a user or customer conducting a plurality of automated rental transaction also includes indicating of customer storage needs);

means for enabling the customer to be visually monitored from the remote location as the customer passes through the access gate (see., fig 2, col 5, lines 1-15, specifically screen display, and audio communication means);

means for establishing a self-storage rental agreement between the customer and the self-storage facility (see., col 5, lines 50-67, col 8, lines 24-45, specifically wherein it is stated that rental agreement has been generated, the rental agreement is then displayed on the screen display to allow

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user or customer to review the proposed agreement, it is obvious to recognize that rental agreement also includes drop box of depositing rental forms, and credit card information or payment see., col 7, lines 61-67, col 8, lines 1-45, specifically wherein it is stated after completing the input of rental information, the user must then select from a variety of payment methods such as credit card payment, check payment. Once payment method has been verified, the processor within the kiosk will then generate a custom rental agreement based on the personal rental information, please note that this step is equivalent to a payment information or credit information process about a customer or user). Furthermore, McCarty discloses a telephone communication link see., fig 3, item 42, and therefore, it is obvious to realize that the telephone communication link of McCarty can telephone customer or manager when a customer service area door is activated or when a customer entering service area, or picks up a telephone since telephone communication link is a common telecommunication practice. McCarty also discloses a customer access door or access gate or means for enabling the remote manager to control opening of an access gate (see., fig 2, item 24), and viewing the customer approaches access gate see., fig 2, items 30, 28 and 22, col 5, lines 1-15, and verifying from the remote location that any identifying information relates to customer see., col 5, lines 50-67, specifically user's signature for the purpose of generating fully executed and legally contracts and agreements.

It is to be noted that McCarty fails to explicitly discloses means for selecting or recommending self-storage unit adequate to meet the customer's needs. Joao discloses a rented articles such as personal, residential as well as commercial property leases and rentals. For protecting individuals and/or

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business entities, lease and/or rental from liability, recommendation by an insurer or remote manager in determining whether to issue a policy, product, service, please note that the product also includes lease or rental, and therefore, selecting or recommending rental or self-storage unit that best meets the customer's needs (see., col 1, lines 15-21, col 2, lines 7-18, col 8, lines 34-39). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was to made to modify the automated storage system of McCarty by including a recommendation to the customer from the manager or insurer as taught by Joao because such modification would provide transactions with potential customers and recommending available storage units.

McCarty and Joao fail to explicitly disclose means for allowing or remotely providing customer to inspect the recommended self-storage unit by the customer. However, Denny discloses a data processing that includes a property inspection (property or rental article) see., abstract, col 2, lines 9-26 and lines 47-67. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was to made to modify the teachings of McCarty and Joao by incorporating the limitation detailed above as taught by Denny because such modification would provide protection against liability which may arise as a result of wear and tear.

7. Claims 3, 4, 5, 6, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCarty et al. (U.S. Pat. No. 5,946,660), Joao (U.S. pat. No. 6,347,302) and Denny et al. (U.S. pat. No. 5,724,261), and further in view of Official notice.

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As per claims 3, 4, 5, 6 McCarty , Joao, and Denny disclose the claimed limitations as stated in claim 1 above, including a telephone, internet or web or email , video connection or video means see., McCarty col 4, lines 41-43, col 5, lines 9 and 10, col 6, line 34. It is obvious to realize that the telephone communication link of McCarty can telephone customers or manager when a customer service area door is activated or when a customer entering service area, or picks up a telephone since telephone communication link is a common telecommunication practice. It is to be noted that McCarty, Joao, and Denny fail to explicitly disclose a radio, cellular, satellite, and facsimile communication links. However, the Examiner hereby takes Official notice that radio, cellular, satellite, and facsimile communication links are notoriously well-known in the art, and therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the limitations detailed above since they are conventional communication means.

As per claims 14 and 19 McCarty , Joao, and Denny disclose the claimed system as stated in claim 12 above, including a telephone, internet or web or email , video connection or video means see., McCarty col 4, lines 41-43, col 5, lines 9 and 10, col 6, line 34. It is obvious to realize that the telephone communication link of McCarty can telephone customers or manager when a customer service area door is activated or when a customer entering service area, or picks up a telephone since telephone communication link is a common telecommunication practice. It is to be noted that McCarty, Joao, and Denny fail to explicitly disclose a radio, cellular, satellite, and facsimile communication links. However, the Examiner hereby takes Official notice that radio, cellular, satellite,

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and facsimile communication links are notoriously well-known in the art, and therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the limitations detailed above since they are conventional communication means.

**RESPONSE TO ARGUMENT**

8. Applicant's arguments filed on 06/16/2003 have been fully considered but they are moot in view of new ground (s) of rejection. Necessitated by IDS filed on 06/16/2003.

**REMARKS**

9. In response to Applicant's arguments, Applicant argues that the prior art of record taken alone or in combination do not teach or suggest:

a. "a method/system for renting to a customer a self-storage unit located at a self-storage facility".

As indicated above, McCarty discloses this limitation in the abstract, col 1, lines 5-9, col 3, lines 18-44, specifically wherein it is stated that an automated storage system comprising a plurality of self-storage facilities, wherein a customer may rent from available storage units for the purpose of safeguarding various articles for a given period of time (which is equivalent to Applicant's claimed invention wherein it is stated that a method for renting to a customer a self-storage unit located at a self-storage facility).

b. "neither Joao nor Denny reference do not relate to a specific piece of property that is to be inspected by a customer". However, the Examiner respectfully disagrees because Denny discloses a

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data processing that includes a property inspection (property or rental article) see., abstract, col 2, lines 9-26 and lines 47-67, specifically wherein it is stated that a data processing system which includes a property inspection data entry device for compiling inspection data during the inspection of a property, please note that it is obvious to recognize that a customer can access the data processing device for the purpose of inspecting property.

***Conclusion***

10. Applicant's submission of an information disclosure statement under 37 CFR 1.97© with the fee set forth in 37 CFR 1.17(p) on 06/16/2003 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609(B)(2)(I). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



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12. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

**Any response to this action should be mailed to:**

Commissioner of patents and Trademarks

Washington, D.C. 20231

The Official Fax Number For TC-3600 is:

**(703) 305-7687**

  
Pierre Eddy Elisca

Patent Examiner

**August 29, 2003**